



DEPARTMENT OF BUDGET AND FISCAL SERVICES NOTICE & REQUEST FOR SOLE SOURCE

TO: Chief Procurement Officer

FROM: HUGH OKUBO, FORENSIC LAB SUPERVISOR, HONOLULU POLICE DEPARTMENT
Department/Division/Agency

Pursuant to HRS §103D-306 and HAR Chapter 3-122, Subchapter 9, the Department requests sole source approval to purchase the following:

1. Description of goods, services, or construction to be procured:

The Leica ScanStation P30 is a 3D laser scanner that produces the highest quality 3D data and high dynamic range (HDR) imaging. This device rapidly photographs and measures everything at a scene, allowing investigators to create highly detailed three-dimensional models of crime scenes. With this device, crime scene investigators will have the ability to accurately map evidence with much greater precision than their current method of hand-drawn diagrams and measurements. The complete system will include the ScanStation P30, required accessories and software, maintenance, and training.

2. Vendor/Contractor/Service Provider Name:

Collision Forensic Solutions, LLC

3. Amount of Request:

\$ 323,300 (Asset Forfeiture)

4. Term of Contract: (Shall not exceed 12 months), if applicable

From: November 1, 2015

To: October 31, 2016

5. Prior Sole Source Ref No.

6. The good, service, or construction has the following unique features, characteristics, or capabilities:

The Leica ScanStation P30 offers a higher degree of dust and weather resistance (IP54 rating), a higher operating temperature, a faster scan rate than competing systems, and offers the greatest compatibility and interoperability with our existing system. The Honolulu Police Department (HPD) Traffic Division currently uses the P30. Collision Forensic Solutions, LLC, is the only company that is both qualified to act as an authorized Leica Geosystems dealer (manufacturer of Leica ScanStation P30) and is qualified to conduct the associated training necessary to use the equipment. This is essential as their unique dual status guarantees that the HPD obtains a totally interoperable system. This dual status ensures the valid transfer of device warranties, provides Accreditation Commission for Traffic Accident Reconstruction (ACTAR) and International Association for Identification (IAI) certified training by licensed hardware and software instructors, and provides follow-up technical support. *See attached*

7. How the unique features, characteristics, or capabilities of the goods, service or construction are essential for the agency?

Purchasing the same equipment currently used by the Traffic Division will ensure interoperability and compatibility of data and reduce training costs by not having two different hardware and software systems. The time and effort spent on having to develop new operating procedures and validating new and different instruments would also be reduced. The validation of instrument operation and its accuracy are essential to maintain our crime laboratory accreditation and ensure admissibility of the collected data in court. The enhanced dust and weather sealing of the ScanStation P30 ensures continued operation under extreme environmental conditions. The faster scan rate will reduce data collection times at crime scenes while greatly improving the accuracy of the diagrams we produce. *See attached*

8. Describe the efforts and results in determining that this is the only vendor/contractor/service provider who can provide the goods, services, or construction.

On July 28, 2015, Faro (the vendor of a competing 3D laser scanner system) was invited to the HPD Scientific Investigation Section (SIS) to give a product demonstration. This gave us the opportunity to evaluate the operation, review the technical specifications, and inquire about data compatibility with our existing CAD software as well as inquire about training. I also had the opportunity to meet with Faro and Leica Geosystems while attending the IAI Conference in Sacramento, California, in August. After evaluating these laser scanning systems, it was clear that the Leica ScanStation P30 would offer the best interoperability and compatibility while reducing development costs associated with the implementation of 3D laser scanning at crime scenes. Collision Forensic Solutions, LLC, as the only authorized dealer of Leica Geosystems capable of providing ACTAR and IAI certified training, has previously provided ScanStation P30 training to HPD, and having them as the vendor will ensure consistency of training.

9. Alternate source. Describe the other possible sources for the goods, services, or construction that were investigated but did not meet the agency needs.

While there are other authorized dealers that sell the Leica ScanStation P30, their price is established by Leica Geosystems, the manufacturer. The Traffic Division currently uses this exact technology. Collision Forensic Solutions, LLC, is the only authorized dealer that also provides ACTAR and IAI certified training for users of this technology. Having Collision Forensic Solutions, LLC, provide both the equipment and the training is in the best interest of the city.

10. **Person that will be responsible for managing this procurement:**

Department/Division: Honolulu Police Department - SIS

Contact Name/Title: Hugh Okubo, Forensic Lab Supervisor

Phone Number:

808-723-3003

E-mail Address:

hokubo@honolulu.gov

Department shall ensure adherence to applicable administrative and statutory requirements, including HAR Chapter 3-122, Subchapter 15, Cost or Pricing Data if required.

I certify that to the best of my knowledge, that the information provided above is true, correct, that there is no conflict of interest related to this procurement, and that the goods, services, or construction are available through only one source.

Department Head

Date

Reserved for BFS Use Only

Date Notice Posted: _____

Submit written objections to this notice to issue a sole source contract within seven calendar days or as otherwise allowed from the above posted date to:

Chief Procurement Officer
Department of Budget and Fiscal Services
530 South King Street, Room 115
Honolulu, Hawaii 96813
bfsprocuring@honolulu.gov

REQUEST FOR SOLE SOURCE (Cont.)

Submit in Duplicate

Chief Procurement Officer's comments:

☐ APPROVED ☐ DISAPPROVED ☐ NO ACTION REQUIRED

Chief Procurement Officer

Date

NOTICE AND REQUEST FOR SOLE SOURCE

ADDITIONAL INFORMATION

6. The good, service, or construction has the following unique features, characteristics, or capabilities:

Additional Information: The Leica ScanStation data gathered has satisfied the Daubert standard in federal court.

Daubert Standard: Standard used by a trial judge to make a preliminary assessment of whether an expert's scientific testimony is based on reasoning or methodology that is scientifically valid and can properly be applied to the facts at issue. Under this standard, the factors that may be considered in determining whether the methodology is valid are: (1) whether the theory or technique in question can be and has been tested; (2) whether it has been subjected to peer review and publication; (3) its known or potential error rate; (4) the existence and maintenance of standards controlling its operation; and (5) whether it has attracted widespread acceptance within a relevant scientific community. See *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993). The Daubert standard is the test currently used in the federal courts and some state courts. In the federal courts, it replaced the Frye standard.

Daubert standard. (n.d.). Retrieved from
http://www.law.cornell.edu/wex/daubert_standard

7. How the unique features, characteristics, or capabilities of the goods, services, or construction are essential for the agency?

Additional Information: Accuracy: Currently, HPD can retrieve 60 – 80 aerial data points per investigation, and 150 – 500 ground data points per investigation. Leica ScanStation can produce 3.5 million data points per investigation. Leica ScanStation does provide a 360 degree scan for any size of crash investigation.

Performance: Currently HPD road closure times average 123.5 minutes in length, depending on the size and complexity of the investigation. Leica ScanStation has the ability to scan the investigation scene 10 times faster than HPD's current investigation procedures, which results in reduction of road closure times.

With the added Daubert standard regarding handling and storing evidence gathered, the evidence will be admissible in a court of law.